

VILLAGE OF BREWSTER
BOARD OF TRUSTEES
21 October 2015
Public Hearing
Regular Meeting
Minutes

The Board of Trustees of the Village of Brewster held a Public Hearing at 7:30 PM followed by a Regular Meeting at 7:32 on 21 October 2015 at Village Hall, 50 Main Street, Brewster, New York 10509.

Attendees:

Mayor: James Schoenig
Deputy Mayor and Trustee: Christine Piccini
Trustees: Mary Bryde, Terri Stockburger, Tom Boissonnault
Village Engineer: Todd Atkinson
Village Counsel: Anthony Molé,
Clerk & Treasurer: Peter Hansen
Village Police: John Del Gardo

Absent:

Pledge to flag.

Notation of Exits

Public Hearing for the purpose of obtaining public input regarding amendment to the Village Code, specifically; repealing Chapter 225 - Tattooing.

Mayor Schoenig motions to open the Public Hearing, Deputy Mayor Piccini 2nd all in favor 5 to 0.

Mayor Schoenig says this is a public hearing specifically for repealing Chapter 225 of the Village Code which prohibits tattoos except for medical purposes.

Trustee Stockburger says she received an email from a friend who does not live in the Village asking that we not repeal the law.

No other public comment.

Mayor Schoenig motions to close the Public Hearing, Deputy Mayor Piccini 2nd all in favor 5 to 0.

Regular Meeting

Mayor Schoenig motions to open the Regular Meeting, Trustee Stockburger 2nd all in favor 5 to 0.

1. Holiday Caroling parade permit application

- 1.1. Amy Campanaro, Southeast Museum Director, applied for a parade permit for the annual holiday caroling along Main Street. Starting time of 5:15 P.M. and ending at approximately 6:15 P.M. with about 100 participants. The route is 67 Main Street to Christmas tree and back to Village Hall for refreshments. Mayor Schoenig motions to approve the Holiday Caroling assembly at 67 Main Street at 5:15 PM on December 5, 2015 with a march to the tree in front of 20 Main Street and returning to Village Hall for refreshments at approximately 6:30 P.M., weather permitting, waiving all fees associated with the permit. Applicant to notify Brewster Fire Department of the activity, Trustee Bryde 2nd all in favor 5 to 0.

2. Repeal Chapter 225 – Tattooing

- 2.1. Mayor Schoenig motions to repeal Chapter 225 of the Village of Brewster Code – Tattooing, as Local Law 4 of 2015, by resolution No. 102115-1 as written, Deputy Mayor Piccini 2nd all in favor 5 to 0.

3. Special Exception Use permit Tattoo establishment – Eric Siuda applies to the Board of Trustees for a Special Exception Use Permit for a tattoo establishment in order to bring business into the community and help revitalize downtown Brewster. Mayor Schoenig asks if medical tattoos are also a capability. Mr. Siuda says he does provide those services as well as other artwork. Mayor Schoenig notes that the new zoning code which we hope to adopt next month will allow Tattoo establishments as a use and no longer requiring a special exception use permit. Mr. Siuda says time is money and he wants to establish the business as quickly as possible and prefers not to wait until

the new zoning code is adopted. Clerk is instructed to send an email to the Planning Board for their report on this issue.

- 3.1. Mayor Schoenig motions to approve the special exception use permit, waiving the listed restrictive criteria for adult oriented business Special Exception Use Permit, allowing a tattoo establishment to locate in the B1, pending; filing of Repeal of Chapter 225 of the Village Code with the Secretary of State, and Planning Board report, Trustee Stockburger 2nd all in favor 5 to 0.
4. Trustee Stockburger motions to alter the agenda to hear the taxi operator license appeal, Mayor Schoenig 2nd all in favor 5 to 0.
 - 4.1. Mayor Schoenig says the applicant applied for a taxi operator license and was denied because of her driving record and she was told not to pick up passengers in the Village. The applicant was observed by the Police violating the law in this regard and this is why she was continued to be denied her Village taxi operator's permit. Ms. Duque says she was not picking up passengers in the Village she was in the Village for other reasons and appeals for a chance to work again. Chief Del Gardo says that she was observed picking up passengers in the Village without a taxi operator's permit. Trustee Bryde says it is very important to have a reliable, law-abiding, and capable driver when conveying passengers. Deputy Mayor Piccini says there is nothing we have heard tonight that mitigates the facts as presented and there is no reason to grant the appeal. Trustee Bryde agrees with Deputy Mayor Piccini. Deputy Mayor Piccini motions to uphold the Mayor's decision denying the taxi operator's license, Trustee Bryde 2nd all in favor 4 to 0. Mayor Schoenig abstains.
5. Monthly Reports
 - 5.1. Code Enforcement Report – Joe Hernandez delivers the September Code Enforcement Report, Trustee Bryde notes that the substantial reduction of property registrations pending is down considerably. Trustee Bryde asks about St. Lawrence O'Toole parking lot. Mr. Hernandez says the applicant says the parking lot is ready for re-inspection. Deputy Mayor Piccini asks why the curb stops are in the parking lot. Mr. Hernandez says there are couple of reasons. One is not to exceed the parking area and the other is to act as a water breakfront for runoff. Trustee Bryde asks about the numerous bulk pick-up violations. Trustee Bryde asks about working without a permit. Mr. Hernandez said the violation has been mitigated and all fees paid. Mayor Schoenig motions to approve the September Report, Deputy Mayor Piccini 2nd all in favor 5 to 0. Copy appended to these minutes.
 - 5.2. Police Report – John Del Gardo delivers the September Police Report, Mayor Schoenig asks how many 911 calls were outside the Village. Chief Del Gardo says there were 3. Trustee Bryde asks about the criminal obstructed breathing, Chief Del Gardo says it was a choke hold. Trustee Bryde asks how taxi inspections are done. Chief Del Gardo says inspections are random. Deputy Mayor Piccini asks about the front door being open. Chief Del Gardo says the door was open but nothing was taken and the residence was safe. Deputy Mayor Piccini asks about the exterior storm or screen doors that remain open all the time. Chief Del Gardo says those doors seem to be broken. Trustee Bryde asks about the four accidents listed and locations. Chief Del Gardo says each accident was in a different spot. Trustee Bryde asks about the cell phones and seatbelts. Chief Del Gardo says there are always these types of violations. Trustee Bryde asks about the street closing on Halloween. Chief Del Gardo says the streets (Wells & Center, Prospect & Eastview) will be blocked off as usual. Deputy Mayor Piccini motions to approve the September Report, Trustee Stockburger 2nd all in favor 5 to 0. Copy appended to these minutes. Trustee Bryde thanks Chief Del Gardo for participating in the World Trade Center steel procession for the fire house memorial.
 - 5.3. Engineer's Report – Todd Atkinson delivers the September Engineer's Report, Trustee Bryde asks about the VRI legacy costs bringing the plant back to standard operating costs. Clerk Hansen says the costs have been accumulated and sent to Severn Trent for reimbursement. Severn Trent is countering our claim by trying to collect some unpaid invoices and the offset is still approximately \$40,000 in our favor but a settlement remains to be established. Trustee Bryde asks about the training listed. Engineer Atkinson says the training is for maintenance of the microfiltration unit maintenance. Trustee Bryde asks about the performance of VRI. Engineer Atkinson says that we are still very happy with their performance to date. Mayor Schoenig motions to approve the September Report, Trustee Bryde 2nd all in favor 5 to 0. Copy appended to these minutes.
 - 5.4. Planning Board Report – Rick Stockburger delivers the August and September Planning Board Reports. Deputy Mayor Piccini points out the request to review Chapter 263 was from the Village Board, not from Deputy Mayor Piccini although she wrote the email requesting same on behalf of the Board of Trustees. Deputy Mayor Piccini

motions to approve the August and September Reports, Trustee Stockburger 2nd all in favor 5 to 0. Copies appended to these minutes.

- 5.5. Zoning Board of Appeals Report – Richard Ruchala provided the ZBA Report for August and September of no activity, Mayor Schoenig motions to approve the September Report, Trustee Stockburger 2nd all in favor 5 to 0. Copy appended to these minutes.
6. First United Methodist Church – parking spaces (3) for trunk or treat in front of church. Trustee Boissonnault motions to allow the use of 3 spaces waiving the fees, DPW to provide cones for mark off, for Saturday October 24th, Trustee Stockburger 2nd all in favor 5 to 0.
7. Review Local Laws being considered for removal from Zoning Code and established as separate chapters in Village
 - 7.1. Deputy Mayor Piccini motions to publish public notice for establishment of Chapter 182, Planning, of the Village Code which consolidate sections of the existing zoning code and codifies same for November 4th 2015, 7:32 P.M. or as soon thereafter as time permits, Village Hall, 50 Main Brewster, NY 10509, Mayor Schoenig 2nd all in favor 5 to 0.
8. Bulk Pickup
 - 8.1. Trustee Stockburger says the revised method of bulk pickup is not working and there is bulk scattered throughout the Village and few of those properties called for a pickup. Trustee Stockburger suggests we should go back to one bulk pickup in the spring and one in the fall. Mayor Schoenig says that is not the right approach. Now people who read of the change may have made plans for their bulk pickup at a different time that is being considered for the village-wide pickup. Mayor Schoenig says we need to educate the public and landlords about the new policy and enforce it. Tickets should be issued to all the properties who put out bulk and did not make the call to Suburban Carting to schedule the pickup. Those people who are having trouble grasping the concept will either get a ticket or call Village Hall for help. Deputy Mayor Piccini notes she envisioned a Village with trash on our streets haphazardly and this is why she was and still is against the on-call pickup. Mayor Schoenig says this situation can be managed and we should enforce the law to bring people into conformance. Trustee Boissonnault agrees we should not abandon this change in method and we should manage through enforcement. Trustee Bryde says the landlords need to manage their properties better.
9. Notice to outside water users of rate increase – approval of letter
 - 9.1. Mayor Schoenig motions to approve the letter to outside water users advising of the new rates effective with the January 2016 billing, Mayor Schoenig 2nd all in favor 5 to 0.
10. Water Serial Bond refunding analysis
 - 10.1. Trustee Stockburger motions to approve proceeding with the 7.4MM Water Serial Bond refunding, Deputy Mayor Piccini 2nd all in favor 5 to 0.
11. Tri-State Stairs are closed to the public
 - 11.1. Board of Trustees directs that the Tri State Stair repair be put out to bid and asks our Village Engineer, J. R. Folchetti & Associates, to write specifications.
12. Sidewalks
 - 12.1. Complaints of sidewalk deterioration. Mayor Schoenig says the sidewalks on Eastview are in bad shape and we need to look at what improvements can be done. Mayor Schoenig will inspect the sidewalks tomorrow and the Clerk will contact the Engineer and DPW Superintendent.
13. Minutes for approval – 30 September 2015 and 7 October 2015
 - 13.1. Trustee Bryde motions to approve the September 30, 2015 Special Meeting minutes, Mayor Schoenig 2nd all in favor 5 to 0.
 - 13.2. Trustee Bryde motions to approve the October 7, 2015 minutes, Trustee Boissonnault 2nd all in favor 3 to 0. Deputy Mayor Piccini and Mayor Schoenig abstain due to absence.
14. Correspondence sent - received for September, 2015
 - 14.1. Mayor Schoenig motions to approve correspondence sent and received for September, Trustee Bryde 2nd all in favor 5 to 0.

15. Vouchers Payable – Deputy Mayor Piccini reviewed the vouchers and found everything in order.

15.1. A	General	42,353.16
15.2. C	Refuse/Garbage	672.69
15.3. F	Water	10,005.14
15.4. G	Sewer	18,439.86
15.5. TA	Trust & Agency	<u>4,079.31</u>

Total Vouchers Payable 75,550.16

Mayor Schoenig motions to approve vouchers payable as written, Trustee Stockburger 2nd all in favor 5 to 0.

16. Other Business

16.1. Deputy Mayor Piccini

16.1.1. Deputy Mayor Piccini says minor cleanup in Sign law, Zoning Code and Urban Renewal drafts and they will be ready for public consumption.

16.2. Trustee Stockburger

16.2.1. Trustee Stockburger asked for flower baskets to be removed

16.2.2. Trustee Stockburger says they will likely put out strings of lights on the clock for the holiday season.

16.2.3. Trustee Stockburger says the clock is not working. Village Clerk Hansen says a request for service was made and we are waiting for a call back from Verdin.

16.2.4. Trustee Stockburger asked if there were funds for clock repair at the County level. Clerk Hansen says County Legislator Castellano is checking for sources to help us offset the cost of repairs. Nothing has materialized as yet.

16.2.5. Trustee Stockburger says trash can liners and lids are in and will deploy 2 new trash cans on Main Street. One in front of 20 Main and one in front of the Laundromat.

16.3. Trustee Bryde

16.3.1. Trustee Bryde asks about Village cleanup this past Saturday as it was never discussed with the Board. Trustee Stockburger said this was an unofficial cleanup date.

16.4. Trustee Boissonnault

16.4.1. Trustee Boissonnault said mulch is being offered for donation at Wells Park but we do not have a timetable as yet. Unfortunately the season is at an end and we are not scheduling a grand opening until next spring. We do need to winterize the park before the cold weather takes hold.

17. New Business

17.1. Deputy Mayor Piccini

17.1.1. Deputy Mayor Piccini says the zoning schedule chart will not be created until after the public hearing.

17.2. Trustee Bryde notes the commendations that both Jean Macli and Janice Bergquist received from Justice O'Rourke and Trustee Bryde. Deputy Mayor Piccini says the commendations should be put in their personnel file.

17.3. Mayor Schoenig

17.3.1. Mayor Schoenig says the town sent an email requesting their electric hookup for the town owned building we moved at Wells Park. Mayor Schoenig will look into it.

18. Public Comment

18.1. No public comment.

19. Mayor Schoenig motions to adjourn, Deputy Mayor Piccini 2nd all in favor 5 to 0.

VILLAGE OF BREWSTER

County of Putnam, State of New York

RESOLUTION No. 102115-1

RESOLUTION OF ADOPTION
LOCAL LAW NO. 4 OF 2015

INTRODUCED BY: MAYOR SCHOENIG

SECONDED BY: DEPUTY MAYOR PICCINI

DATE OF CONSIDERATION/ADOPTION: OCTOBER 21, 2015

WHEREAS, a repeal of Chapter 225, entitled "TATTOOING," which will repeal in its entirety Chapter 225 of the Code of the Village of Brewster, has been introduced before the Board of Trustees of the Village of Brewster in the County of Putnam, and

WHEREAS, a public hearing was held on October 21, 2015 upon notice duly published and posted, and

WHEREAS, public discussion was heard at such hearing concerning the merits of said introductory local law, and

WHEREAS, the Board of Trustees of the Village of Brewster wishes to repeal in its entirety Chapter 225 of the Code of the Village of Brewster, and

WHEREAS, in accordance with Article 8 of the Environmental Conservation Law (the State Environmental Quality Review Act) and 6 NYCRR Part 617 of the implementing regulations the action under consideration constitutes a TYPE II action and therefore requires no further review under 6 NYCRR Part 617;

THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Brewster hereby repeals in its entirety Chapter 225 of the Village of Brewster Code, entitled

"TATTOOING," and

BE IT FURTHER RESOLVED, that Local Law 4 of 2015 of the Village of Brewster is hereby enacted by the Board of Trustees of the Village of Brewster, and

BE IT FURTHER RESOLVED, that a true copy of the law is attached hereto and made a part hereof.

UPON ROLL CALL VOTE:

Mayor Schoenig: AYE Deputy Mayor/ Trustee Piccini AYE

Trustee Stockburger AYE Trustee Bryde AYE

Trustee Boissonnault AYE

VOTE: RESOLUTION CARRIED BY A VOTE OF 5 (FIVE) TO 0 (ZERO)

STATE OF NEW YORK)
) ss.:
COUNTY OF PUTNAM)

I, PETER BREWSTER HANSEN, Village Clerk of the Village of Brewster, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Board of Trustees of the Village of Brewster at a meeting of said Board on October 21, 2015.

DATED: October 22, 2015


PETER BREWSTER HANSEN, Village Clerk

SEPTEMBER, 2015 Code Enforcement Report



VILLAGE OF BREWSTER
50 MAIN STREET
BREWSTER, NY 10509
(845) 279-3760

SEPTEMBER 2015 SUMMARY REPORT

BUILDING FEES =	\$1,808
PROPERTY REGISTRATION	1,390
<u>SAFETY INSPECTION =</u>	<u>425</u>
TOTAL FOR SEPTEMBER =	\$3,623

PERMITS: 11

INSPECTIONS: 3
(Property Reg, Property Maintenance)

TOTAL COs, CCs: 17

VIOLATIONS/ORDER TO REMEDY 4

PROPERTY REGISTRATION PENDING: 47

**VILLAGE OF
BREWSTER POLICE
DEPARTMENT
MONTHLY REPORT**

SEPTEMBER 2015

**POLICE CHIEF
John Del Gardo**

VILLAGE OF BREWSTER POLICE DEPARTMENT

MONTHLY REPORT

TO: Mayor James Schoenig - Board of Trustees
FROM: Police Chief John Del Gardo
RE: Monthly Report September - 2015

TICKETS		
Uniform Traffic Tickets:		76
Parking Tickets:		119
Code Tickets		6
TOTAL TICKETS		201
TAXI INSPECTION		
		12
ARRESTS		
Peiffer	Crim Obst Breath	
Mirko	Burglary	
Mirko	D.W.I.	
Phillips	Dis Con	
Oddo	Suspended License	
TOTAL ARRESTS		
		5
SECURITY VISITS PATROL		
Sewer Plant		265
Water Tank:		254
Well Field:		59
TOTAL VISITS		578
FOOT PATROL		HOURS
Main Street:		185
M.T.A. Station:		72
Residential:		12
TOTAL HOURS		269
911 CALLS		
		82
Walk in / Pickup Compl's		
		39
Court Hours S.E.		
		60
Court Hours Village		
		16

VEHICLE REPAIRS	
	\$742
MILEAGE TOTAL	
	5995
Total Fuel	
	799

PEO Stockburger	Tickets:	43
	Hours:	56
PEO Giangguzi	Tickets:	14
	Hours:	7

(Security Detail) 2 Officers
(Security Detail) 2 Officers

911 DISPATCHED CALLS – 82

AIDED – 19

EDP- 5

VEHICLE ACCIDENT – 4

DISPUTE- 9

911 HANGUP - 3

BURGLARY -1

LARCENY - 2

FIRE ALARM - 4

TRESPASS - 2

SUSPICIOUS PERSON - 5

SUSPICIOUS VEHICLE - 1

HARASSMENT - 2

DISORDERLY PERSON - 7

STOLEN VEHICLE - 2

CRIMINAL MISCHIEF - 1

OPEN DOOR - 1

FEMALE BEING FOLLOWED - 1

ENDANGERING WELFARE OF A CHILD - 1

WELFARE CHECK - 2

INTOX DRIVER - 1

ERRATIC DRIVER - 2

MALES SMOKING WEED - 1

DOG LOCKED IN VEHICLE - 1

VEHICLE LOCK OUT - 1

NOISE COMPLAINT - 2

PARKING CONDITION - 1

FOUND WALLET - 1

**VILLAGE OF BREWSTER
MONTHLY PROGRESS REPORT**

1. <u>GENERAL INFORMATION</u>		
Report No: 10 of 2015	Date: 10/21/2015	Contract No:
Facility Name: VOB / EPA Stormwater Phase II Regulations		

2. <u>ENGINEERS STATUS OF PROJECT</u> (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineer's Contract and Scope of Work including :	
a.	Activities completed this month (attach additional pages as needed):
	<ul style="list-style-type: none"> • Maintained monthly stormwater maintenance/good housekeeping reports quantifying the number of pounds of litter and the amount of sand cleaned up throughout the Village.
b.	Status of activities in progress this month (attach additional pages as needed):
	<ul style="list-style-type: none"> • Continue to find Educational Outreach Materials for Village. • Continue to monitor NYSDEC for upcoming changes to permits. • Review and comment on East of Hudson DRAFT Operations and Maintenance Policy
c.	Activities scheduled (attach additional pages as needed):
	<ul style="list-style-type: none"> • Await comments from NYSDEC on 2014-2015 Annual Report submitted in May 2015.

PLANNING DEPARTMENT

P.O. Box 470
1142 Route 311
Patterson, NY 12563

Sarah Mayes
Mary Schartau
Secretary

Richard Williams
Town Planner

Telephone (845) 878-6500
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**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

ZONING BOARD OF APPEALS

Lars Olenius, Chairman
Mary Bodor, Vice Chair
Marianne Burdick
Michael Carinha
Stephanie Fox

PLANNING BOARD

Thomas E. McNulty, Chairman
Ron Taylor, Vice Chairman
Michael Montesano
Edward J. Brady Jr.
Robert F. Ladau

**POLICY FOR THE OPERATION AND MAINTENANCE
of
EOHWC STORMWATER RETROFIT PRACTICES
Revised October 7, 2015**

DRAFT FOR DISCUSSION

The nineteen municipalities, represented by the East of Hudson Watershed Corporation (EOHWC) have over 150 stormwater retrofit practices planned for, or constructed within their individual municipalities. Each of these projects, over time will require maintenance in order for the practice to maintain optimal efficiency in its operation. Within the EOHWC there has been much discussion concerning funding for, and completion of the maintenance required for these stormwater retrofits. This Policy will define how maintenance of the stormwater retrofits projects (SRP's) will occur.

In order for stormwater practices to remain effective at reducing phosphorus, proper maintenance is essential. Each stormwater retrofit that is installed by the EOHWC will have its own unique set of maintenance requirements and maintenance cycle, however some generalities can be made. Maintenance can be broken down into three parts; inspections, routine maintenance and non-routine repairs that may be required after large storms, or as a result of other unforeseen problems. Practices can be broken down into classes which have similar maintenance periods and requirement. These classes would include wet ponds, created wetlands, infiltration, and filter practices. General requirements for maintenance of various classes can be found at the end of this paper. There are three basic means by which future maintenance can be provided; by each individual municipality 'hosting' the retrofit, by the EOHWC, or by a hybrid approach with both the EOHWC and the host municipality sharing some responsibility.

The NYSDEC General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (GP-0-10-002) places the ultimate responsibility with each individual municipality for all stormwater practices within their jurisdiction including those considered stormwater retrofits. Part VI.Q states, "A covered entity must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the covered entity to achieve compliance with the conditions of this SPDES general permit."

At present, Towns and Villages are considered 'traditional land use control MS4's' as they hold the

authority to make land use decisions under zoning and subdivisions controls. As such, they are obligated under the General Permit to maintain an inventory¹, provide for inspections and ensure the maintenance of all stormwater practices within their jurisdiction². The NYSDEC language in the General Permit covers both publically-owned, and privately owned stormwater management facilities that are located in, or under a municipality's jurisdiction.

Under the requirements of the General Permit, Towns and Villages should already be maintaining, or causing maintenance to be performed on, the stormwater management practices in their respective jurisdictions. This includes all drainage control structures such as stormwater ponds, and other practices installed as part of their highway drainage system. This also includes stormwater management practices constructed as part of a subdivision or site plan approved by the Town or Village. Pursuant to the requirements of the General Permit, municipalities must already have written procedures³, the equipment and the manpower to provide inspections and maintenance to the stormwater infrastructure in their respective municipalities. Since municipalities must already have a program in place, it should be relatively simple to manage the additional EOHWC retrofit practices constructed in their municipalities, although their individual resources will likely need to be supplemented.

With participation in the EOHWC, each municipality has agreed to "bubble compliance", or a shared responsibility for the installation of stormwater retrofits. While each individual municipality will ultimately be responsible for the retrofits located within their jurisdiction, it is generally agreed that the EOHWC should remain involved in some fashion for meeting the maintenance requirements for as long as the EOHWC is in existence.

The EOHWC has chosen the following means for providing maintenance to EOHWC SRP's;

Each stormwater retrofit will require maintenance specific to each individual retrofit. This maintenance obligation will be described in a written plan. This plan shall be prepared for each project by the design engineer preparing the construction documents. The maintenance plan shall include the design life of each SRP, recommended inspection schedule and checklist which also provides basic design criteria for the practice, required maintenance activities, an estimate of time needed and cost of such activities, schedule of such activities, and a present worth cost for inspecting and maintaining the SRP for its design life. Three copies of the maintenance plan shall be provided to the host municipality, along with an as-built drawing upon completion of construction of the retrofit. Moving forward, each maintenance plan shall be reviewed and approved by the chief elected officer of the host municipality prior to the SRP construction being placed for bidding.

¹Part VII.A.5.a.vi. "maintain an inventory of post-construction stormwater management practices within the covered entities jurisdiction" [including] "type of practice, maintenance needs per the NYS Stormwater Management Design Manual, SWPPP and dates and type of maintenance performed."

²Part VII.A.5.a.vii "ensures adequate long-term operation and maintenance of management practices identified in Part VII.5.a.vi. by trained staff, including inspection to ensure that the practices are performing properly."

³Part IX.A.6

Each municipality will be responsible for providing the inspections and maintenance of the stormwater retrofit practices (SRP) within, or under their jurisdiction. Maintenance shall be completed in accordance with the maintenance plan that has been prepared for the project.

The EoH municipalities have sought to achieve compliance with the stormwater regulations and the retrofit program through bubble compliance i.e., a sharing of the overall phosphorus reduction requirements for all of the EoH municipalities. Similarly the expense of paying for the cost of maintenance of the stormwater retrofits that have been installed would be shared between the municipalities in proportion to each of their obligations for phosphorus removal. Schedule A provides the proportion of the overall annual O&M costs for each municipality.

Municipalities will be reimbursed by the EOHWC for costs incurred for providing maintenance at the actual cost plus 2% for administration. Municipalities can individually choose how to accomplish maintenance responsibilities to find the most cost-effective and efficient means; either by using municipal staff/highway departments, or through the use of private contractors. When completing SRP maintenance by contracting with a private contractor, all contracts seeking reimbursement from the EOHWC must follow EOHWC procurement policies. However municipalities must, as the minimum requirement to award a contract, obtain at least three written quotes in order to ensure that the work is being completed at a fair price. All SRP work shall be subject to the EOHWC procurement policies. At a minimum when completing SRP maintenance by contracting with a private contractor, award of the contract must be based on first obtaining three written quotes in order to ensure that the work is being completed by a fair price. Costs associated with the use of municipal employees and equipment to provide SRP maintenance shall be based on a schedule of values approved by the EOHWC Board of Directors. When contractors are used, a minimum of three quotes for the work must be obtained to qualify for reimbursement of maintenance costs.

Work completed by municipal employees and consultants will be reimbursed at cost, but subject to a cap. The EOHWC Board of Directors shall establish a schedule of reimbursement rates for completing SRP maintenance. The schedule shall provide a maximum hourly rate for municipal employees, consultants and equipment. Reimbursement costs shall also be capped by the estimate of time needed and cost of such activities found in the maintenance plan. Any exceedance of the cap must be approved by the EOHWC Board of Directors.

Financing O&M Requirements

The EOHWC shall oversee the O&M operations for the retrofits installed by the Corporation. The EOHWC shall create a separate fund (a bank) to fund the estimated cost for each municipality to fund one year's worth of the operation and maintenance cost of the stormwater retrofits located in their community. Twice annually, in June and November municipalities will submit an invoice for reimbursement of the actual cost for providing maintenance of the stormwater practices under their jurisdiction. Invoices will be reviewed by the EOHWC staff and Executive Board. Actual costs incurred will be credited against any amount due and owing to the Corporation. Where there is a surplus, the municipality would receive a refund. EOHWC staff shall be responsible for spot checking inspections completed by each municipality and ensuring that the maintenance of each practice is being completed in a timely and efficient manner.

Each municipality is responsible to provide this amount to the EOHWC as either a direct payment or as a documented labor and capital expenditure to be applied as credit toward O&M costs.

Each municipality will fall into one of two categories:

- 1) The O&M contribution in labor and capital expense is less than the estimated annual O&M costs. Those municipalities that are required to contribute funds must provide payments to the EOHWC on the following schedule:

- January 1, 2016. 35% of total O&M estimates costs
- May 1, 2016. 35% of total O&M estimates costs
- September 1, 2016. 30% of total O&M estimates costs

In case 1, once the municipality has submitted documentation that the municipality has spend more than the estimated annual O&M costs, it has fulfilled its responsibility to the EOHWC O&M program.

- 2) The O&M contribution is less than the estimated annual O&M Costs

Those municipalities that will receive O&M funds must provide documentation of inspection and maintenance provided for each project to the EOHWC on the following schedule:

- April 30, 2016. O&M Documentation for January, 21016 thru April, 2016.
- August 31, 2016. O&M Documentation for May, 21016 thru August, 2016.
- December 31, 2016. O&M Documentation for September, 21016 thru December, 2016.

In case 2, the municipality will document all expenditures for the O&M program. Once the municipality has reached the estimate annual O&M costs, the EOHWC will reimburse the municipality for the additional required O&M.

These reimbursements will be capped by the calculated percentage contribution for the overall bubble compliance. Any additional expenditure will be documented by the municipality. All overages to the estimated municipal costs must be verified and approved by the EOHWC prior to the work being completed. These costs will be then included in an updated budget for the next O&M calendar year.

It is important to note that these O&M estimates are based on an estimate labor and equipment costs. Municipalities are required to stay within the annual estimated cost for the O&M program.

SCHEDULE A

Municipality	Percent Contribution
Brewster	0.11%
Carmel	9.37%
Kent	8.88%
Patterson	8.07%
Putnam Valley	0.83%
Southeast	8.30%
Putnam County	6.46%
Bedford	7.85%
Cortlandt	2.09%
Lewisboro	6.88%
Mount Kisco	2.62%
New Castle	4.76%
North Castle	0.16%
North Salem	4.99%
Pound Ridge	2.25%
Somers	9.79%
Yorktown	10.34%
Pawling, Town	5.99%
Pawling, Village	0.25%
Total	100.0000%

GENERAL MAINTENANCE REQUIREMENTS
NYS STORMWATER MANAGEMENT DESIGN MANUAL

A. Stormwater Ponds⁴

- P-1 Micropool Extended Detention Pond
 - P-2 Wet Pond
 - P-3 Wet Extended Detention Pond
 - P-4 Multiple Pond System
1. Sediment removal in the forebay shall occur every 3 years or after 30% of total forebay capacity has been lost.
 2. Sediment removal from the main basin every 5 years or when the minimum water depth approaches 3 feet. More regular maintenance will help ensure that the system is achieving the highest removal of phosphorus.
 3. Annually mowing of side slopes.

B. Wetland Systems⁴

- W-1 Shallow Wetland
 - W-2 ED Shallow Wetland
 - W-3 Pond/Wetland System
 - W-4 Pocket Wetland
1. Maintain a minimum of 50% cover of planted wetland zones

C. Infiltrations Systems⁴

- I-1 Infiltration Trench
 - I-2 Infiltration Basin
 - I-3 Dry Well
 - I-4 Underground Infiltration Systems
1. The vegetative cover needs to be regularly maintained. Grass cover may be mowed and bare areas should be reseeded
 2. Disc, aerate or scrape the basin bottom to restore original cross section and infiltration rate every one to five years.

D. Filtering Systems⁴

⁴ Based on the maintenance requirements in the NYS Stormwater Management Design Manual.

- F-1 Surface Sand Filter
 - F-2 Underground Sand Filter
 - F-3 Perimeter Sand Filter
 - F-4 Organic Filter(peat)
 - F-5 Bioretention
1. Remove sediment/gross solids from sedimentation chamber and filter surface annually or when depth exceeds 3 inches.
 2. Remove sediment/gross solids from bioretention surface annually or when depth exceeds 3 inches.
 3. Keep the vegetation height limited to 18 inches in bioretention systems to facilitate routine maintenance and allow for observation of system function.
 4. Rehabilitate/replace mulch and bioretention media (top 6 inches minimum) when flowthrough rate is reduced to <60% design treatment flow rate. This is determined by observing ponding in the facility following a storm event.

E. Swales

- O-1 Dry Swale
1. Remove sediment built-up within the bottom of the channel when 25% of the original water quality volume has been exceeded.
 2. Maintain a grass height of 4" to 6".

F. Hydrodynamic Separators

1. Inspect unit two to four times per year.
2. Clean out during dry weather conditions with Vac Truck when sediment accumulation reaches 12 to 18 inches from the dry-weather water surface elevation.

G. StormFilter Vault Maintenance Guidelines⁵

1. Maintenance is performed on an as needed basis, based on inspection. Maintenance lifecycle is 1-3 years. The primary factor controlling timing of maintenance of the StormFilter is sediment loading. Until appropriate timeline for inspections is determined, conduct annual inspections and after each major storm event. Use the following as a general guide.
2. Depending on the configuration of the particular system, workers will be required to enter

⁵ Based on manufacturer's recommendations

the vault to perform the maintenance. OSHA rules for confined space entry must be followed.

3. Filter cartridge replacement should occur during dry weather. It may be necessary to plug the filter inlet pipe if base flow is occurring. To conduct cartridge replacement and sediment removal:
 - a. Using appropriate equipment offload the replacement cartridges (up to 150 lbs. each) and set aside.
 - b. Unscrew (counterclockwise rotations) each filter cartridge from the underdrain connector. Roll the loose cartridge, on edge, to a convenient spot beneath the vault access.
 - c. Using appropriate hoisting equipment, attach a cable from the boom, crane, or tripod to the loose cartridge and remove the used cartridges (up to 250 lbs.) from the vault.
 - d. Remove accumulated sediment from the floor of the vault and from the forebay. Use vacuum truck for highest effectiveness.
 - e. Once the sediments are removed, assess the condition of the vault and the connectors. Lightly wash down the vault interior.
 - f. Lower new cartridges into vault and re-install.

H. Raingardens

1. Routine maintenance may include the occasional replacement of plants, mulching, weeding and thinning to maintain the desired appearance.
 - a. Watering for the first year, or during droughts is essential, and can be minimized with the use of a weed-free mulch layer.
 - b. Keep plants pruned if they start to get "leggy" and floppy.
 - c. Cut off old flower heads after a plant is done blooming.
 - d. Keeping the garden weeded is one of the most important tasks, especially in the first couple of years while the native plants are establishing their root systems.
2. Once the rain garden has matured, the garden area should be free of bare areas except where stepping stones are located. Inspect for sediment accumulations or heavy organic matter where runoff enters the garden and remove as necessary.
3. The top few inches of planting soil should be removed and replaced when water ponds for more than 48 hours. Blockages may cause diversion of flow around the garden.

4. If the garden overflow device is an earthen berm or lip, check for erosion and repair as soon as possible. If this continues, a harder armoring of stone may be necessary.
5. Make sure all appropriate elevations have been maintained, no settlement has occurred and no low spots have been created.

Village of Brewster Planning Board
David P. Kulo Jr.
Chairman

To James Schoenig, *Mayor*
Christine Piccini, *Trustee, Deputy Mayor*
Mary Bryde, *Trustee*
Teresa Stockburger, *Trustee*
Tom Boissonnault, *Trustee*
Peter Hansen, *Clerk & Treasurer*
Anthony Mole, *Counsel*

Regular Meeting August 25, 2015

Board Members in Attendance:

David Kulo, Chair
Rick Stockburger
Renee Diaz
George Gaspar

Board Member Absent:

Tyler Murello

New Business:

2 Palmer Road – 67.12-1-28.

This was an incomplete application for an 82,000 s.f. office building. The plans laid out were closer to a conceptual plan with a sketched rendition of the building. Many details including parking, water and sewage estimates, signage, elevations and projected date of occupancy need to be specified.

The plans could be sufficient for SEQR review for its environmental impacts with the VPB acting as lead agency.

Pending Business:

494 North Main Street – 67.256-1-13. This site plan revisions would be tabled until meeting in September.

St. Lawrence O'Toole. Paving does not comply with site plan. Resolution will be needed before C of O is obtained. The issues involves a hump in the parking lot that could be an issue for storm runoff. Father Gill agreed to remove the hump, even though the parish would incur further expenses, by leveling the parking area and raising a wall in compliance with the site plan. If the building department is satisfied with Father Gill's response, then no amended site plan would be required.

Addendum:

Rezoning Coordinates Review. The response to Ms. Piccini's request regarding zoning changes, the VPB needed more information and time to address and understand the zoning changes. This would be up for discussion at the September meeting.

David Kulo
Chairman, Planning Board
October 13, 2015

Village of Brewster Planning Board
David P. Kulo Jr.
Chairman

To James Schoenig, *Mayor*
Christine Piccini, *Trustee, Deputy Mayor*
Mary Bryde, *Trustee*
Teresa Stockburger, *Trustee*
Tom Boissonnault, *Trustee*
Peter Hansen, *Clerk & Treasurer*
Anthony Mole, *Counsel*

Regular Meeting September 22, 2015

Board Members in Attendance:

David Kulo, Chair
Rick Stockburger
Renee Diaz
George Gaspar
Tyler Murello

Board Member Absent:

New Business:

None.

Pending Business:

2 Palmer Road – 67.12-1-28.

The VPB is lead agency under SEQR. No further presentation of site plan revisions were prepared for this meeting.

494 North Main Street – 67.256-1-13.

Mr. Cameron responded to the recommendations by the Village engineer's report. This included proper alignment of the canopy, final location of pipes and other related structures, delivery times and hours of operation.

Considerable discussion centered on the sidewalk, which is being compromised by the construction activity. The applicant would prefer not to build the sidewalk, not only because of the added costs, but also because the New York State DOT is unresponsive to its requests for

information on the alignment of the new bridge that is expected to be coming in the future. The sidewalk, the applicant believes, should not be the responsibility of the owner and furthermore, any instillation could be destroyed in the future by the DOT.

The Village and the VPB still needs to maintain precedence. The Village has a high pedestrian traffic and the station and shop should be treated as one consistent with its urban environment was a response to Mr. Cameron.

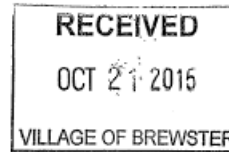
The VPB agreed that public hearing would be contingent on resolving the issues by the engineer and the sidewalk. It was recommended that the applicant make notations of all communications with the DOT. Once satisfied with the application's revisions, a public hearing could be scheduled.

Addendum:

Rezoning Coordinates Review. In response to Ms. Piccini's request regarding zoning changes, the VPB reviewed the rezoning, specifically the removal of Articles VI, VII VIII AND X from the Zoning Law to be made into separate laws. The PB members reviewed the sections, made comments and recommendations which Mr. Stockburger would incorporated into a single document to be presented to the Village Board.

David Kulo
Chairman, Planning Board
October 13, 2015

Richard Ruchala
12 Main Street
Brewster, NY 10509
October 21, 2015



Peter Hansen
Village of Brewster Board of Trustees
Village of Brewster
50 Main Street
Brewster, NY 10509

Dear Village of Brewster Board of Trustees:

There has been no activity of the Zoning Board of Appeals since the last report submitted.

Sincerely,

A handwritten signature in dark ink, appearing to be "R. Ruchala", with a long horizontal stroke extending to the left.

Richard Ruchala
Chairman
Zoning Board of Appeals